

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2005-294-C - ORDER NO. 2006-35  
JANUARY 25, 2006

IN RE:	Application of Pac-West Telecomm, Inc. for a	)	ORDER GRANTING
	Certificate of Public Convenience and	)	WAIVER OF DEADLINE
	Necessity to Provide Resold and Facilities	)	
	Based Local Exchange and Interexchange	)	
	Telecommunications Services in the State of	)	
	South Carolina.	)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Request for Waiver of the 120-day deadline for issuing an Order on the merits in the Application of Pac-West Telecomm, Inc. (Pac-West or the Company), prescribed by S.C. Code Ann. Section 58-9-280(B) (Supp. 2004). This Code section calls for the issuance of a merits order within a total of 120 days when authority is requested for companies to be certified as new local telephone service providers. Pac-West states that the Office of Regulatory Staff (ORS) joins in the Request for Waiver.

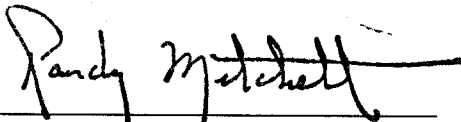
Pac-West points out that the Commission has extended one or more statutory deadlines in recent dockets and believes that a waiver is appropriate in this docket for a number of reasons. First, the deadline established by the Code exists for the benefit of the parties. The parties waive their right to raise this issue in any appeal that could be taken from any Commission Order issued in the Docket. Second, Pac-West states that granting the proposed waiver would be in the best interest of all parties and the Commission,

because it would allow adequate time for the parties to attend to the remaining steps that precede a final Order from the Commission in the Docket.


We agree with the reasoning cited by Pac-West. We also believe that adequate time is necessary in order to take the steps to properly research and issue the merits Order in this case. Accordingly, the waiver of the 120-day deadline is granted.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
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Randy Mitchell, Chairman

ATTEST:

  
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G. O'Neal Hamilton, Vice Chairman

(SEAL)